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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,002	12/22/2000	William B. Boyle	K35A0687	2942

26332 7590 07/14/2004

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LAKE FOREST, CA 92630

EXAMINER

VENT, JAMIE J

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 09/747,002	Applicant(s) BOYLE, WILLIAM B.	
	Examiner Jamie Vent	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16 are rejected under 35 U.S.C. 102(b) as being unpatentable by Okamoto et al (US 6,134,384).

#### **[claims 1 & 13]**

In regard to Claims 1 and 13, Okamoto et al, discloses a method and system of efficiently accessing video data stored on a storage medium comprising:

- Receiving a stream of video data that includes a sequence of original transport packets, each original transport packet having a first predetermined number of bytes including video data bytes (Figure 1 shows the receiving of data stream via the input/output terminal 108 while Figures 10 shows a more detailed picture of the transport packet);
- Adding a second predetermined number of bytes to the first predetermined number bytes to create a modified transport packet having a third predetermined number of bytes (Figure 10 illustrates the format of clocks of a digital compressed video signal that is transmitted in a packet of 188

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bytes and stored in the data recording area. Furthermore a time stamp 25 of 4 bytes is added to the packet having a total of 192 bytes per packet as further described in Column 6 Lines 33-42);

- Storing each modified transport packet on a storage medium, wherein the storage medium is addressable on sector boundaries, each sector having a predetermined number of user data bytes different from the first predetermined number of bytes (Figure 16 memory 400 stores the transport stream in which the memory stores packet data from the input/output terminal so that a packet corresponds to the transport stream as described in Column 9 Lines 25-36) wherein:
  - The first byte in a modified transport packet aligns with a first user data byte in a sector after a first predetermined number of sectors following a previous alignment (Figure 18 shows the modified transport stream with the first user data byte in a sector); and
  - The first predetermined number of sectors is less than the second predetermined number of sectors (Figure 12 shows the first sector with less number of bytes than the second sector).

**[claims 2, 3, 4, 5, 6, 7, 8, 14, 15, & 16]**

In regard to Claim 2,3,4,5,6,7, 8, 14, 15, and 16 Okamoto et al, discloses a method and system wherein:

- The first predetermined number of bytes is 188 (Figure 13 shows the packet with 188 bytes);

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- The second predetermined number of bytes is four so that four bytes are added to each original transport packet (Figure 13 with the second predetermined number comprising of the time stamp 25 and packet information 72 which consists of four bytes of information);
- Modified transport packet has a length of 192 bytes (Figure 14 the first and second predetermined number of bytes make a transport packer of 192 bytes);
- Predetermined number of user data bytes is 512 and the first predetermined number of sectors is three (Column 7 Lines 39-56 describes the user data bytes); and
- Original packet includes synchronization bytes located at the beginning of each original transport packet and the second predetermined number of bytes is added in front and/or behind of the synchronization bytes (Figure 4a-4b shows the original packet with synchronization bytes wherein the data is added behind or in front of the bytes of information).

**[claims 9, 10, 11, & 12]**

In regard to Claims 9, 10, 11, and 12, Okamoto et al discloses a method further comprising:

- passing each modified transport packet through a first buffer prior to storing on the storage medium (Figure 17 shows buffers used before transfer onto storage medium);
- sequentially retrieving the modified transport packets from the storage medium (Figure 16 shows the retrieving of data from the memory);

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- removing from each modified transport packet the second predetermined number of bytes (Figure 16 shows the removing of transport packet information from the error correction circuit as well as the packet output control circuit).

### ***Conclusion***

The prior art made of record and not relied upon are considered pertinent to applicant's disclosure. The following is considered of significant interest to the application:

- Okamoto et al (US 6,134,384) and Yamane et al (US 5,784,528)

### ***Contact Fax Information***

*Any response to this action should be mailed to:*

Commissioner of Patents and Trademarks  
Washington, DC 20231

*Or faxed to:*

703.208.6306 (for formal communication intended for entry)  
703.308.5359 (for informal or draft communications, please label "PROPOSED"  
or "DRAFT")

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).*

### ***Contact Information***

*Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Jamie J. Vent whose telephone number is (703) 305-0378.*

*If any attempts to reach the examiner by telephone are unsuccessful, the examiners  
supervisor, Christopher Kelley, can be reached at (703) 305-4856.*

*Any inquiry of a general nature or relating to the status of this application should be  
directed to the Group receptionist whose telephone number is (703) 305-4700.*


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*Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).*

*Jan U*

Miss Jamie Vent

06/22/2004

  
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